

PLANNING & ZONING BOARD

JULY 25, 2001

7:30 P.M.

1. ROLL CALL

The meeting was called to order at 7:30 p.m. Board members present were Chair Jay Stahl, Vice-Chair Mike Bender, Edna Moore, Mimi V. Turin, and Bob Waitkus. Also present were Town Attorney Monroe Kiar, Planner Chris Gratz, and Board Secretary Janet Gale recording the meeting.

2. APPROVAL OF MINUTES: June 13, 2001

Mr. Waitkus made a motion, seconded by Vice-Chair Bender, to approve the minutes of June 13, 2001. In a voice vote, all voted in favor. **(Motion carried, 5-0)**

3. PUBLIC HEARING

Rezoning

3.1 ZB 6-1-01, Stirling Place, Inc., 6851 Stirling Road (from B-1 and B-2 to B-2)

As the petitioner was not present, Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to delay this item to the end of the agenda. In a voice vote, all voted in favor. **(Motion carried, 5-0)**

Special Permit

3.2 SE 6-1-01, Rayani/Cumber and Rayani, 15191 SW 15 Place (R-1)

Shams Rayani, the petitioner, was present. He explained that he had recently obtained these lots from another developer and was planning to build model homes. Mr. Rayani was requesting a special permit for a sales trailer until the models were completed.

Mr. Gratz read the planner's report (Planning and Zoning Department's recommendation: approval). He added that Mr. Rayani was going to improve the temporary site by adding landscaping and asphalt. Mr. Gratz noted that Mr. Rayani already had building permits for the two models and the trailer would be in place less than one year.

Chair Stahl clarified that the special permit was for 12 months and that landscaping requirements for the trailer would be satisfied.

Chair Stahl asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to approve. In a roll call vote, the vote was as follows: Chair Stahl - yes; Vice-Chair Bender - yes; Ms. Moore - yes; Ms. Turin - yes; Mr. Waitkus - yes. **(Motion carried 5-0)**

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to adjourn the meeting until the petitioner for item 3.1 arrived. In a voice vote, all voted in favor. **(Motion carried 5-0)**

The meeting adjourned at 7:35 p.m. and resumed at 7:45 p.m.

3.1 Michael Janoura, representing the petitioner, was present and apologized for being tardy.

Mr. Gratz read the planning report (Planning and Zoning Division's recommendation: approval). He explained the different uses permitted in B-2 zoning that were not permitted in B-1 zoning.

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Chair Stahl asked if anyone wished to speak for or against this item.

Jean Crease, 7556 Stirling Road, was concerned with the traffic in this area and was hopeful that a traffic light could be installed. Chair Stahl stated that an application had to be submitted and traffic studies had to be conducted. Mr. Kiar stated that the procedures for installing a traffic light were extensive. He recommended that Ms. Crease propose this to the Town Council.

Emma Gephart, 7526 Stirling Road, asked if there was going to be an egress and ingress from SW 70 Avenue. Mr. Gratz stated that the site area was not going to change and this hearing was only in reference to usage of the two buildings in question. He reiterated that there were no proposals for additional exits or entrances on this site.

As there were no other speakers, Chair Stahl closed public hearing.

Vice-Chair Bender made a motion, seconded by Ms. Moore, to approve. In a roll call vote, the vote was as follows: Chair Stahl - yes; Vice-Chair Bender - yes; Ms. Moore - yes; Ms. Turin - yes; Mr. Waitkus - yes. **(Motion carried 5-0)**

4. OLD BUSINESS

There was no old business discussed.

5. NEW BUSINESS

There was no new business discussed.

6. COMMENTS AND/OR SUGGESTIONS

Ms. Turin asked if this Board was under any specific procedural rules. Mr. Kiar explained that the Town followed Robert's Rules of Order, except in those instances where Council had made exceptions. He further stated that there presently was a request that it was necessary to have three Board members vote affirmatively for the Planning and Zoning Board and the Site Plan Committee, adding that this was an example of an exception made by Council. Mr. Kiar read section 7(H) of the Town's Charter, where three affirmative votes applied to Council. He explained that Council wanted the vote to be indicative of the majority of the members on the Board, not just the majority of those in attendance.

Ms. Turin asked if the Charter made reference to the amount of time allotted to individuals for public hearing. Mr. Kiar was not sure if there was any specific limitation to the amount of time a speaker could speak. He referred to Section 7(G) of the Charter, stating what the protocol for Council meetings was. Finally, Mr. Kiar explained that under Robert's Rules of Order, the Chair had the authority and discretion to limit speakers especially if they were repetitive or defaming.

Chair Stahl reminded the Board that the next meeting was at 7:00 p.m. rather than 7:30 p.m., and clarified that all future meetings would begin at 7:00 p.m.

Ms. Gale stated that a representative for the Joint Economic Development Steering Committee was needed for a one year term. Ms. Moore had been appointed, but it was not clear if this appointment was for one meeting or for a one year term.

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to approve Ms. Moore to represent the Planning and Zoning Board on the Joint Economic Development Steering Committee. In a voice vote, all voted in favor. **(Motion carried 5-0)**

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Mr. Gratz offered to purchase [Comprehensive] Plans for anyone who was interested. Ms. Moore, Mr. Waitkus, and Ms. Turin requested copies.

7. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 8:15 p.m.

Date Approved _____

Chair/Board Member